

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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GABRIEL MARTINEZ, *individual and
on behalf of others similarly situated,*

Plaintiff,

-against-

SANSOOGAPSAN II, INC. (d/b/a SAN
SOO KAP SAN 2), YUN HWA NO AND
JOHN DOE,

Defendants.

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An Order of Honorable Eric N. Vitaliano, United States District Judge, having been filed August 3, 2016, adopting in its entirety the Report and Recommendation of Magistrate Judge Vera M. Scanlon, dated June 20, 2016; dismissing the complaint with prejudice; certifying pursuant to 28 U.S.C. § 1915(a)(3) that any appeal would not be taken in good faith; denying *in forma pauperis* for purpose of an appeal; and an Amended Order of Honorable Eric N. Vitaliano, having been filed on October 11, 2016, ordering that the Court's 8/3/16 Order is amended to read that "The Clerk of Court is directed to enter judgment for Defendants in accordance with this Order; and the 8/3/16 Order otherwise remains in effect; it is

ORDERED and ADJUDGED that the complaint is dismissed with prejudice; that pursuant to 28 U.S.C. § 1915(a)(3) any appeal would not be taken in good faith; that *in forma pauperis* status is denied for purpose of an appeal; and that judgment is hereby entered for Defendants Sansoogapsan II, Inc. (d/b/a San Soo Kap San 2), and Yun Hwa No and against Plaintiff Gabriel Martinez.

Dated: Brooklyn, New York
October 11, 2016

Douglas C. Palmer
Clerk of Court

by: /s/ Janet Hamilton
Deputy Clerk

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